

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW
650 TOWN CENTER DRIVE
SUITE 620

Costa Mesa, California 92626-7127
U S A

(714) 708-8555

FAX: (714) 708-8565

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

LOS ANGELES OFFICE
Eighteenth Floor
10940 Wilshire Boulevard
Los Angeles, CA 90024-3990
USA
(310) 209-4400
FAX: (310) 209-4450

METROPOLITAN WASHINGTON, D.C.
OFFICE
8110 Gatehouse Road
Suite 100 East
Falls Church, VA 22042-1248
USA
(703) 205-8000
FAX: (703) 205-8050
(703) 698-8590 (GIV)



Date: September 17, 2003

Docket No.: 4614-0120P

MS PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a ☐ continuation ☒ divisional
☐ continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/396,937 filed on September 15,
1999, the entire contents of which are hereby incorporated by
reference,
by

Torben HALKIER and Jesper HAANING

for

METHOD FOR DOWN-REGULATING OSTEOPROTEGERIN LIGAND ACTIVITY

1. ☒ Enclosed is an application consisting of specification,
claims, declaration and drawings/photographs (if
applicable).
2. ☒ The filing fee has been calculated as follows:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$375.00
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	60-20 =	40	x 18 = \$720.00	x 9 = \$0.00
INDEPENDENT CLAIMS	8-3 =	5	x 84 = 420.00	x 42 = \$0.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$1,420.00	\$0.00

3. ☐ A check in the amount of \$0.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. ☐ Enclosed is/are _____ (____) sheet(s) of formal drawings and/or photographs.
- 6a. ☐ A statement claiming small entity status was filed in prior Application No. 09/396,937 on _____. See the attached copy of the statement claiming small entity status.
- 6b. ☐ The current application qualifies for small entity status.
7. ☒ The prior application is assigned to M&E Biotech A/S, Horsholm, Denmark.
8. ☐ A Preliminary Amendment is enclosed.
- 9a. ☒ Priority of Application No(s). PA 1998 01164 filed in Denmark on September 15, 1998 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on December 14, 1999.

- 9b. ☐ Priority of International Appln. _____ filed on _____
under the Patent Cooperation Treaty and _____
Application No. _____ filed in _____ on _____ under 35
U.S.C. § 120 and/or § 119 are hereby reclaimed.
10. ☒ An Information Disclosure Statement and PTO-1449
form(s) are attached hereto for the Examiner's
consideration.
11. ☒ Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

or
Customer No. 02292
12. ☐ An extension of time for _____ () month(s) until _____
has been submitted in parent Application No. 09/396,937
in order to establish co-pendency with the present
application.
13. ☒ Also enclosed herewith is the following:

Combined Declaration and Power of Attorney

Cover Letter/Priority Document

Express Mail Certificate (EL 980122985 US)

If necessary, the Commissioner is hereby authorized in this,
concurrent, and future replies, to charge payment or credit any
overpayment to Deposit Account No. 02-2448 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17;
particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By *Leonard R. Svensson* #46,183
Leonard R. Svensson, #30,330
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

LRS/KR/sml
4614-0120P

Attachment(s) (Rev. 07/303)

MS PATENT APPLICATION

PATENT
4614-0120P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: HALKIER et al. Conf.:
Appl. No.: NEW Group: 1647
Filed: September 17, 2003 Examiner: DEBERRY, R.
For: METHOD FOR DOWN-REGULATING
OSTEOPROTEGERIN LIGAND ACTIVITY

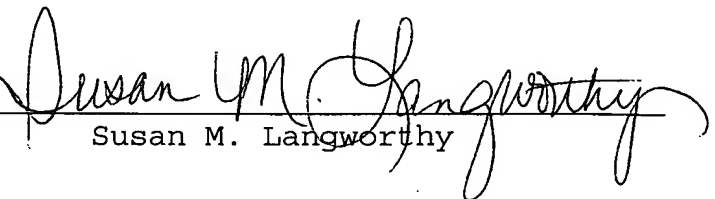
EXPRESS MAIL CERTIFICATE

DATE DEPOSITED: September 17, 2003

I hereby certify that the enclosed Divisional Application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to MS PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.: EL 980122985 US

Date: September 17, 2003


Susan M. Langworthy

Mailing Address:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000